

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-7, 9-11, 13, 23, 24, 26, 27, and 29-35 are pending in the present application, Claims 1, 3-7, 10, 11, 23, 24, 26, 27, and 31 having been amended and Claims 2, 8, 12, 14-22, 25, and 28 having been canceled without prejudice or disclaimer. Support for the amendments to Claims 1, 3-7, 10, 11, 23, 24, 26, 27, and 31 is found, for example, in the originally filed specification and claims. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 1-9, 23, and 31 were rejected under 35 U.S.C. §112, second paragraph; Claims 1-13 and 23-35 were rejected under 35 U.S.C. §101 as directed toward non-statutory subject matter; Claims 1, 3-7, 9-11, 13, 27, 29, 30, and 32-35 were rejected under 35 U.S.C. §102(e) as anticipated by Camara (U.S. Patent Publication No. 2004/0001631); Claims 2, 12, and 28 were rejected under 35 U.S.C. §103(a) as unpatentable over Camara in view of Honsinger et al. (U.S. Patent No. 6,278,791, hereinafter Honsinger); Claim 8 was rejected under 35 U.S.C. §103(a) as unpatentable over Camara in view of Honsinger, and further in view of Ellingson (U.S. Patent No. 7,043,048); Claims 23-25 and 31 were rejected under 35 U.S.C. §103(a) as unpatentable over Ellingson in view of Camara; and Claim 26 was rejected under 35 U.S.C. §103(a) as unpatentable over Ellingson in view of Camara, and further in view of Hampapur (U.S. Patent No. 6,738,100).

Applicants thank the Examiners for the courtesy of an interview extended to Applicants' representative on December 1, 2006. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

With respect to the rejection under 35 U.S.C. §112, second paragraph, the claims are amended to remove “and/or.” Thus, Applicants respectfully request that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

With respect to the rejection of the claims under 35 U.S.C. §101, Applicants’ respectfully submit that this ground of rejection is overcome by the present amendment. Applicants respectfully submit that the independent claims define statutory subject matter. Amended Claim 1 recites, *inter alia*, “the metadata generation processor being arranged to include the hash value as part of the metadata, which are stored on a data carrier.” Amended Claim 10 recites, *inter alia*, “a hash processor configured... to store the hash value in a data store.” Amended Claims 23 and 24 recite, *inter alia*, “to cause information pertaining to the association between the at least one of the audio and video material from the generated hash value was produced and the metadata to be stored.” Amended Claim 27 recites, *inter alia*, “storing the hash value as part of the metadata describing at least one of the audio and video material from which audio and video material the hash value was generated.” Amended Claim 31 recites, *inter alia*, “storing information pertaining to the association between the at least one of the audio and video material from the generated hash value was produced and the metadata.”

As the above-noted independent claims store data, Applicants respectfully submit that the independent claims are statutory as they provide a useful, concrete, and tangible result. Further, the dependent claims are statutory for at least their dependence on the independent claims. Thus, Applicants respectfully request that the rejection under 35 U.S.C. §101 be withdrawn.

With respect to the rejection of Claim 24 as unpatentable over Ellingson in view of Camara, Applicants respectfully submit that the amendment to Claim 24 overcomes this ground of rejection. Amended Claim 24 recites, *inter alia*, “to associate the metadata stored

in association with the original hash value with at least one of the audio and video material from which the generated hash value was produced based on results of the search.”

Ellingson refers to the generation of a hash value for authenticating a particular image or photographer who produced the image. For example, a retinal scan is performed on the photographer from which the hash value is generated. The hash value is then embedded in an image stenographically. By storing user attributes for photographers an image can be authenticated as being produced by a particular photographer by recovering the hash value from the image and comparing that hash value with the personal attributes of the photographer. However, Ellingson does not disclose or suggest generating a hash value from one of audio and video material, including the hash value with metadata, and then associating the metadata with the audio or video material by generating a hash value from the audio or video material and searching the metadata for that hash value.

Furthermore, Camara does not disclose or suggest the claimed “to associate the metadata stored in association with the original hash value with at least one of the audio and video material from which the generated hash value was produced based on results of the search.” Paragraph [0047] of Camara merely discloses that metadata is stored separately from the image file from which it is associated, and logical links are created to integrate the metadata with the corresponding image file. Camara does not refer to the generation of the hash value, but merely refers to, generally, the generation of metadata in association with an image data file. Furthermore, Camara does not disclose or suggest that the logical links are based on a search of metadata for match between an original hash value and a generated hash value.

Furthermore, Honsinger does not cure the above-noted deficiencies in Camara and Ellingson. Honsinger refers to the generation of a hash value for authentication by marking an image by stenographically embedding the hash value into the image.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 24 (and any claims dependent thereon) patentably distinguish over Ellingson, Camara, and Honsinger, taken alone or in proper combination. Claims 23 and 31 recite elements similar to those of Claim 24. Thus, Applicants respectfully submit that Claims 23 and 31 (and any claims dependent thereon) patentably distinguish over Ellingson, Camara, and Honsinger, taken alone or in proper combination, for at least the reasons stated for Claim 24.

With respect to the rejection of Claim 1 as anticipated by Camara, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Claim 1 is amended to include subject matter similar to what was originally found in Claims 2 and 8. Amended Claim 1 recites, *inter alia*, “the metadata is represented as a data structure stored on the data carrier, said data structure describing the content of at least one shot or sub-shot of at least one of the audio and video material, the data structure comprising a volume identification defining the data carrier on which at least one of the audio and video material is represented, at least one shot identification defining the at least one shot or sub-shot within at least one of the audio and video material, and the quasi-unique reference value generated from at least one the audio and video data within the shot or sub-shot.”

The outstanding Office Action relies on Ellingson to disclose the elements of Claim 8. However, Ellingson does not disclose or suggest metadata having the claimed data structure. The outstanding Office Action relies on col. 4, lines 37-45, col. 5, lines 7-17, and col. 5, lines 53-54 of Ellingson to disclose the claimed data structure. However, these portions of Ellingson merely discloses a memory device that stores image metadata, that metadata may be stored in an external database, and that metadata can be directly encoded into an image. However, merely storing metadata does not disclose or suggest the data structure of the metadata. Thus, Ellingson does not disclose or suggest the above-noted features of amended Claim 1.


Furthermore, the Camara and Honsinger do not cure the above-noted deficiencies in Ellingson.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 1 (and any claims dependent thereon) patentably distinguish over Camara, Ellingson, and Honsinger, taken alone or in proper combination. In addition, Claims 10 and 27 recite elements similar to those of Claim 1. Thus, Applicants respectfully submit that Claims 10 and 27 (and any claims dependent thereon) patentably distinguish over Camara, Ellingson, and Honsinger, taken alone or in proper combination, for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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